REMARKS

This case has been carefully reviewed and analyzed in view of the Office Action dated 19 July 2004. Responsive to the Office Action, Claims 1 – 6 are now cancelled from this case, Claims 7 – 10 are amended, and Claim 11 is newly-inserted for further prosecution. With such amendment of Claims, there is a further clarification of their recitations.

In the Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.84(o). More specifically, the Examiner stated that the box-type drawing elements in Figs. 1 – 4 were lacking descriptive labels. Accordingly, formally corrected versions of Figs. 1 – 4 now bearing appropriate descriptive labels for the box-type drawing elements shown are submitted herewith. The descriptive labels are fully consistent with the corresponding descriptions in the Specification as originally filed.

Also in the Office Action, the Examiner rejected Claims 1 – 10 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As mentioned, Claims 1 – 6 are now cancelled from this case, and Claims 7 - 10 are amended. It is believed that the amendments incorporated into Claims 7 – 10 now obviate the Examiner's remaining formal concerns under 35 U.S.C. § 112, second paragraph.

The Examiner rejected Claims 1, 3 – 7, and 9 - 10 under 35 U.S.C. § 102(b) as being anticipated by any one of the Gershberg et al; Hoard et al.; Humphries '982; Humphries '875; Gehman; Lieser; Cole; Massa; Mattern et al; Nicholls; Clift; Lee et al.; Lin et al.; Frazier; Byrne; Tacussel; Cole et al. '858; or Nakayama references. The Examiner also rejected Claims 2 and 8 under 35 U.S.C. § 103(a) as being unpatentable over any one of these same references. In setting forth the latter rejection, the Examiner concluded that it would have been obvious to one of ordinary skill in the art to have employed either an aural or visual alarm, and to have also activated video equipment at the time of intrusion.

As Applicant's newly-amended and newly-inserted independent Claims 7 and 11 each now more clearly recite, Applicant's intelligent microwave detecting system includes among its combination of features a "microwave detector" which carries out "inconspicuous active microwave monitoring" of a predefined "three dimensional space." This microwave detector is "disposed outside said predefined three dimensional space and offset by a structural partition therefrom," as each independent claim also now more clearly recites. It serves to generate a detection signal upon sensing a moving object in the predefined three dimensional space. Responsive to the detection signal, "an output controller ... selectively enabl[es] actuation of said passive electric installation."

As each independent Claim 7 and 11 also now more clearly recites, the system also includes among its combination of features "at least one remote equipment installation" having a receiver for receiving detection data transmitted from the output controller and an "operation unit" coupled to the receiver for operation in accordance with that detection data, simultaneously with the passive electric installation's operation. As the claims further clarify, "at least one of said passive electric installation and ... operation unit ...[is] disposed in said predefined three dimensional space."

The full combination of these and other features now more clearly recited by Applicant's pending claims is nowhere disclosed by the cited references. Note, for instance, that a number of these references - namely, the Byrne, Cole et al. '858, Tacussel, Nakayama, Lin et al., Clift, Nicholls, Mattern et al., and Cole '289 references - are directed merely to a particular type of signal or data processing employed in a radar-based surveillance system. While they disclose such processing particularities as Doppler frequency shift and difference frequency techniques for enhancing the accuracy of target detection and identification, the references nowhere disclose particularities relating to such things as the relative locations of system components, the coordinated control of various equipment installations, or measures to preserve the inconspicuousness of microwave detection.

At least one of the cited references, the Massa reference, is not even directed to any microwave detection system at all. Rather, Massa's system is prescribed quite specifically to be an "ultrasonic" intrusion alarm system.

Of the remaining references, the Gershberg et al., Hoard et al., Gehman, Humphries '982, Humphries '875, Lee et al., and Lieser references each disclose intrusion detection or alarm systems in which the radar-type surveillance is accomplished through detection means situated necessarily at the particular area/space being monitored. Hence, these references nowhere disclose any system having such features as a microwave detector "disposed outside said predefined three dimensional space and offset by a structural partition therefrom," as each of Applicant's pending independent Claims 7 and 11 now more clearly recites, much less a system in which "at least one of ... [a] passive electric installation and [an] operation unit" operationally tied thereto is nonetheless "disposed in said predefined three dimensional space," as each independent claim also now more clearly recites.

Indeed, a number of these references very specifically teach against such features. For example, Hoard et al. specifies the placement of multiple field transceivers at suitable points in the area of interest, and taking active steps to guard against penetration of the given RF signals through any surrounding structural members. Hoard et al. actually declares in this regard that "poor

penetration of the signal is advantageous," as it inhibits false alarms in the disclosed system (column 4; lines 33 – 34). Similarly, Lee et al. expresses the need for situating RF detection units at each proximately defined portion of the area being protected, requiring that an "area being protected frequently covers many separate rooms ... must be protected by separate units," (column 1; lines 52 – 54). Lieser likewise emphasizes this point, explaining that such structures as "walls, including steel beams, and so on, may undesirably operate to interfere with Doppler secured system security" of the type it discloses, and that it is necessary, therefore, to utilize a separate apparatus for each isolated area to be monitored (column 1, lines 66 – 68).

The remaining Frazier reference does disclose a radar whose intended operation is to penetrate a barrier to detect a target's motion. Nonetheless, Frazier's detecting radar is prescribed very specifically to be of the hand-held, "easily portable" type to be carried and used, for instance, by law enforcement agents in the pursuit of a suspect. As such, the unit is necessarily self-contained, and without requisite ties to any such extraneous operational installations as "a passive electric installation" or a "remote equipment installation," which independent Claims 7 and 11 now more clearly recite to be operably coupled to a microwave detector and output controller in Applicant's system. Designed as it is to operate in a hand-held, self-contained manner - wholly from the opposing side

of a barrier, Frazier's radar instrument actively precludes such features as "at least one of said passive electric installation and ... operation unit being disposed in said predefined three dimensional space" being monitored (which Applicant's independent Claims 7 and 11 further recite).

It is respectfully submitted, therefore, that the cited Gershberg et al; Hoard et al.; Humphries '982; Humphries '875; Gehman; Lieser; Cole; Massa; Mattern et al; Nicholls; Clift; Lee et al.; Lin et al.; Frazier; Byrne; Tacussel; Cole et al. '858; and, Nakayama references – even when considered together - fail to disclose the unique combination of elements now more clearly recited by Applicant's pending claims for the purposes and objectives disclosed in the subject Patent Application.

It is believed that the subject Patent Application has now been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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Dated: 11/19/2004

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Date: 11/19/2004